

ADMINISTRATIVE-INTERNAL USE ONLY

1 MAR 1974

MEMORANDUM FOR: Executive Officer to the Deputy Director
for Management and Services

SUBJECT : Agency Policy on Responding to External
Reporting Requirements

REFERENCE : DD/M&S 74-0630

1. We have reviewed the Comptroller's memorandum, subject as above, dated 15 February 1974 to the Secretary, CIA Management Committee and have the following comments:

a. The Office of Security is responsible for preparing eleven (11) safety reports, each year, to the Department of Labor (8 quarterly and 3 annual reports). An annual report is also prepared for the Federal Fire Council. Moreover, we submit input for such reports as the DCI Annual Report to the President's Foreign Intelligence Advisory Board and the General Counsel's report to the Attorney General covering an inventory of wire-tapping and electronic eavesdropping equipment in our possession in the United States.

b. We believe that the Comptroller's recommendations as set forth in paragraphs 6 and 7 of his memorandum are reasonable in that they would assist other Federal agencies in the performance of their responsibilities in this field and, at the same time, protect classified information involving sources and methods and other sensitive matters.

2. Please advise if we can be of further assistance in this matter.

[Redacted Signature Box]

John F. Blake
Acting Director of Security

STATINTL

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SUBJECT: Agency Policy on Responding to External
Reporting Requirements

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OS/PPB [redacted] :akl STATINTL
28 February 1974

74-825

15 FEB 1974

DD/M&S 74-0630

MEMORANDUM FOR: Secretary, CIA Management Committee

SUBJECT: Agency Policy on Responding to External Reporting Requirements

1. Executive Order 11717 directed the transfer of certain functions from the Office of Management and Budget (OMB) to the Administrator of General Services and to the Secretary of Commerce. These functions include formulating, prescribing, and assuring compliance with Government-wide policies in the area of financial management systems improvement, procurement and contracting, real and personal property management, development and improvement of management techniques and systems, transportation procurement and management, and automated data processing management. The transfer of Government-wide management policy responsibilities for these functions, with attendant reporting requirements, from OMB to the General Services Administration (GSA) and to Commerce suggests the need to establish a formal Agency policy on responding to all external reporting requirements. It is suggested that this issue be placed on the Agenda for consideration by the CIA Management Committee.

2. The Agency receives numerous requests from other Federal agencies for reports on a wide variety of personnel, administrative, and management matters. Examples include reports on occupational accidents, EEO, real estate holdings, financial management improvement efforts, transportation management, silver recovery, etc. As a general rule, administrative reporting requirements levied by other Federal agencies are received by or referred to the CIA component primarily concerned. However, there appears to be little uniformity with respect to compliance, except in the case of OMB-levied requirements. Historically, we have responded to OMB management reporting requirements directly to the International Affairs Division (with

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whom the Agency maintains continuing liaison on all budgetary and related matters) rather than to OMB's Assistant Director for Management and Organization as prescribed in most cases by OMB circulars.

3. Particularly with the transfer of certain management policy responsibilities from OMB to GSA, we are faced with a proliferation of reporting requirements levied by GSA. Evidence of this trend is present in the early issuances of the new GSA series of Federal Management Circulars (FMC) which are concerned with questions on real property, auditing practices, energy conservation, etc. Offering to provide requested data to OMB as in the past would not seem appropriate since such would not serve GSA's purposes, but we may need to question whether it is appropriate to give GSA certain management-type data which previously was provided to OMB. While some reporting requirements probably will call for innocuous data which we could provide on an unclassified basis without difficulty, others no doubt will request information we might prefer not to provide for security, operational, or other reasons. The promulgation of a formal Agency policy on all external reporting requirements would serve as a basis not only for establishing our relationship with GSA on its FMC series without relying on ad hoc responses seeking exceptions when non-compliance is judged to be justified, but also for handling reporting requirements of other Federal agencies.

4. As noted in Paragraph 2 above, we have responded to most OMB requirements directly to that Office. However, in some instances, OMB instructions were for reports to be submitted to other agencies. For example, OMB Circular No. A-2 (concerned with utilization, disposition, and acquisition of Federal real property) called for a report to GSA, with concurrent copies to OMB (FMC 73-5 replaced A-2 and continues the reporting requirement to GSA). Since the Agency submitted the required report in 1972 and 1973, we have a precedent in our relationship with GSA which obviously must be considered in dealing with reporting requirements levied by future FMC's. For other than OMB-originated reporting requirements, past practice in the Agency has varied somewhat. In response to requirements levied by some agencies (e.g., the Civil Service Commission), compliance has been the exception rather than the rule. Requests from certain other agencies (e.g., Department of Labor, Treasury, GAO), although less numerous, have more frequently

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been responded to by the Agency. We have been unable to identify a formal policy on which current practice is based, but it seems reasonable to assume that, had we been challenged, the Director's special authority, security grounds, or the protection of sensitive intelligence sources and methods would have been our justification for non-compliance. In those cases where the Agency has complied with external reporting requirements levied by other Federal agencies, our response has with minor exceptions been unclassified. In one or two cases, our offer to comply on a classified basis has been rejected with the statement that such a response would not serve the purpose intended and therefore we need not respond.

5. As a practical matter, the de facto but not specifically articulated Agency policy has been to respond to most external reporting requirements when such can be done on an unclassified and meaningful basis. However, some requirements have been simply ignored. In questionable cases involving the propriety of responding to a specific requirement, or where it seemed desirable to respond on a classified basis, the matter has been referred to a senior officer for decision. It seems appropriate that our informal policy be made explicit and formally stated in a manner to conform, insofar as possible, with the practice of other Federal agencies. If such a policy were to be adopted, we would expect certain exceptions, as follows: (a) requirements levied by OMB, with which our reporting relationship must remain unique, (b) requirements levied by Congress, which in all cases would be referred to and handled by OLC, and (c) requirements which can only be satisfied on a classified basis where compliance would be in the best interest of the Agency. In the latter cases, the question of compliance would be referred to the DDM&S or to the DCI, as appropriate, for decision.

6. It is recommended that:

It be Agency policy to comply with external reporting requirements levied by other Federal agencies for administrative and management information in all instances where a meaningful unclassified response can be prepared, subject only to the exceptions noted in Paragraph 5. above involving OMB, Congress, and certain classified responses.

7. In the instant case of the FMC's, and assuming approval of the above-recommended policy, we believe it would be prudent to advise the Administrator of General Services of our intent to comply to the extent possible with CSA-levied reporting requirements and to inform him of our past practice in reporting management information to OMB. Accordingly, it is recommended that:

The Comptroller prepare a coordinated letter to this effect to the Administrator for the DCI's signature.



STATINT

JOHN D. IAMS
Comptroller

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ACTION	DIRECT REPLY	PREPARE REPLY
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Remarks:

The attached proposal has been submitted to the Management Committee for consideration. If you have any comments, please submit them as soon as possible. We don't know when it will appear on the agenda.


RHW

Att: DD/M&S 74-0630 (MCA-84)

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FROM: NAME, ADDRESS AND PHONE NO.	DATE
Acting Executive Officer to the DD/M&S 7D 26 Hqs	25 Feb 74



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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

Agency Policy on Responding to External Reporting Requirements

FROM: STATINTL

Acting Chief
Plans, Programs Branch

EXTENSION

5311

NO.

DATE

28 February 1974

TO: (Officer designation, room number, and building)

DATE

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COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

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